

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT NEW YORK

In Re

VINCENT D. IOCOVOZZI

Debtor.

This Motion will be heard on:
September 25, 2018 at 9:30 a.m., at
United States Bankruptcy Court,
Alexander Pirnie Federal Building,
10 Broad Street, Utica, N Y 13501

Chapter 13 Proceeding
Case No. 13-62035-6-dd

**NOTICE OF MOTION FOR IN REM RELIEF FROM THE AUTOMATIC STAY
UNDER 11 U.S.C. §362(d) FILED BY THE COUNTY OF HERKIMER, A CREDITOR**

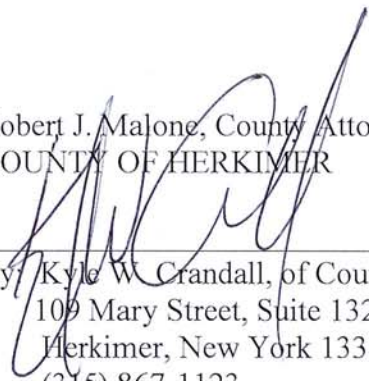
1. **NOTICE IS HEREBY GIVEN** to the Debtor and Trustee, their attorneys, and other interested parties that on the date and time indicated below, Movant in the above-captioned matter will move this Court for an Order granting in-rem relief from the automatic stay as to Debtor and Debtor's bankruptcy estate, specifically as to the real estate identified in the attached affidavit, all being within the County of Herkimer, State of New York, on the grounds set forth in the attached Motion.
2. **HEARING LOCATION, DATE AND TIME:** This motion shall be heard in front of the Honorable Diane Davis, U.S. Bankruptcy Court Judge, on **September 25, 2018** at **9:30 a.m.** at the U.S. Bankruptcy Court, Alexander Pirnie Federal Building, 10 Broad Street, Utica, New York 13501.
3. This motion is being heard on REGULAR NOTICE pursuant to Local Rule 9013-1(e). If you wish to oppose this Motion, you must file a written response to this Motion with the Bankruptcy Court and serve a copy of it upon the Movant's attorney at the address set forth above no less than seven (7) days before the above hearing and appear at the hearing of this Motion.

4. If you fail to file a written response to the Motion or fail to appear at the hearing, the Court may treat such failure as a waiver of your right to oppose the Motion and may grant the requested relief.

IF YOU INTEND TO OPPOSE THIS MOTION, WRITTEN OPPOSITION MUST BE FILED WITH THE CLERK OF THE COURT AND SERVED ON MOVANT'S COUNSEL AT LEAST SEVEN (7) DAYS PRIOR TO THE RETURN DATE. IF YOU DO NOT FILE AND SERVE WRITTEN OPPOSITION, NO HEARING WILL BE HELD ON THE RETURN DATE AND THE COURT MAY GRANT THE MOTION AS UNOPPOSED.

Dated: Herkimer, New York on August 31, 2018

Robert J. Malone, County Attorney
COUNTY OF HERKIMER

By: 

Kyle W. Crandall, of Counsel
109 Mary Street, Suite 1320
Herkimer, New York 13350
(315) 867-1123

TO: Mark W. Swimelar Esq.
250 S. Clinton St., Suite 203
Syracuse, New York 13202

TRUSTEE

Carol Ann Malz, Esq.
15476 State Highway 23
Davenport Center, NY 13751

ATTORNEY FOR VINCENT D.
IOCOVOZZI

U.S. Department of Justice
Office of the U.S. Trustee
10 Broad Street, Room 105
Utica, New York 13501

U.S. TRUSTEE